

Atty Dkt. No.: STAN-166
USSN: 09/716,054

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 16-24 and 49-64 the only claims pending in this application.

FORMAL MATTERS:

Claims 16-24 and 49-64 are pending after entry of the amendments set forth herein.

Claims 40-48 are canceled without prejudice as being directed to a non-elected subject matter.

Claims 16, 22, 49, 54, 56, 62 have been amended. Support for these amendments is found in the claims as originally filed and throughout the specification at, for example, page 17, lines 17-19.

No new matter is added.

INTERVIEW SUMMARY

The applicants are grateful to Examiners Cook, Le, and Reynolds for the telephonic interview conducted with their representatives, the undersigned of Bozicevic, Field & Francis, LLP on November 18, 2005.

The rejections set out in the prior Office Action, and the amendment filed in response, were discussed during the interview. The restriction requirement was also discussed. During the interview the parties agreed that claims of Group I (Claims 16-24) and Group IV (Claims 56-64) are linked and that claims 56-64 be reinstated. The Examiners also set forth an election requirement between the species of Group II (Claims 40-48) and Group III (Claims 49-55). The Applicants selected the claims of Group III (Claims 49-55) and agreed to cancel the non-elected claims.

RESTRICTION REQUIREMENT

The Office Action has set forth a restriction requirement between Group I (Claims 16-24), Group II (Claims 40-48), Group III (Claims 49-55), Group IV (Claims 56-64), and has constructively imposed election of the claims of Group I (Claims 16-24).

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During the telephonic interview the parties agreed that claims of Group I (Claims 16-24) and Group IV (Claims 56-64) are linked and that claims 56-64 be reinstated. The Examiners also set forth an election requirement between the species of Group II (Claims 40-48) and Group III (Claims 49-55). The Applicants hereby select the claims of Group III (Claims 49-55) and cancel the non-elected claims of Group II (Claims 40-48).

Rejection Under 35 U.S.C. § 112, First Paragraph – Enablement

The rejection of Claims 16-24 has been maintained under 35 U.S.C. § 112, first paragraph, for allegedly not describing the subject matter in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention.

In particular, the Office Action maintains that, although the specification is enabling for the production and *in vitro* utility of non-naturally occurring bifunctional inhibitor molecules, the specification does not reasonably provide enablement for inhibiting protein-protein interaction *in vivo* with the non-naturally occurring bifunctional molecules.

In the spirit of expediting prosecution and without conceding as to the correctness of the rejection, the claims have been amended to recite an *in vitro* utility. Support for the amendment can be found in the claims as originally filed and throughout the specification, at for example, page 17, lines 17-19.

As such, the Applicants respectfully request that this rejection be withdrawn.

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CONCLUSION

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number STAN-166.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: Nov. 18 2005

By: 

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